

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JAMES T. DeJARNETTE,

Petitioner,

v.

Case No. 2:18-cv-291

Judge Algenon L. Marbley

Magistrate Judge Chelsey M. Vascura

**CHAE HARRIS, WARDEN,
WARREN CORRECTIONAL INST.,**

Respondent.

OPINION AND ORDER

On June 4, 2018, the Magistrate Judge issued an Order and Report and Recommendation, recommending that the Petition for a writ of habeas corpus pursuant to 28 U.S.C. 2254 be dismissed and denying Petitioner's Motion to Clarify. (ECF No. 12.) Although the parties were advised of the right to file objections to the Magistrate Judge's Order and Report and Recommendation, and of the consequences of failing to do so, and although the Court granted Petitioner an extension of time to do so, no objections have been filed.

The Order and Report and Recommendation (ECF No. 12) is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

Petitioner has waived his right to appeal by failing to file objections. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). Therefore, the Court **DECLINES** to issue a certificate of appealability.

IT IS SO ORDERED.

s/Algenon L. Marbley
ALGENON L. MARBLEY
UNITED STATES DISTRICT COURT

DATED: July 30, 2018